

Message

**From:** Hurlid, Kathy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=2F3B04131F1145FCB4CCF5B0A64C1AC4-KHURLD]  
**Sent:** 7/28/2017 1:54:18 PM  
**To:** Connors, Sandra [Connors.Sandra@epa.gov]  
**CC:** Klos, Caroline [Klos.caroline@epa.gov]; McDavit, Michael W. [Mcdavit.Michael@epa.gov]; Eisenberg, Mindy [Eisenberg.Mindy@epa.gov]  
**Subject:** RE: Ken Wagner's pulling together a 404 SWAT team?

I am in the office next week on Tuesday only. Could come in for part of Monday. On annual leave beginning Wed. Back August 15.

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**From:** Connors, Sandra  
**Sent:** Friday, July 28, 2017 9:32 AM  
**To:** Hurlid, Kathy <Hurlid.Kathy@epa.gov>  
**Cc:** Klos, Caroline <Klos.caroline@epa.gov>; McDavit, Michael W. <Mcdavit.Michael@epa.gov>; Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>  
**Subject:** Re: Ken Wagner's pulling together a 404 SWAT team?

Thanks Kathy - we can flag today. I expect a joint R4/OW briefing for Mike, Lee and Ken may be the best way to inform them regarding these challenges and to propose a coordinated path forward? If so, perhaps we can schedule something with R4 next week at the OWOW level and then follow with Mike after that?

Sent from my iPhone

On Jul 28, 2017, at 8:22 AM, Hurlid, Kathy <[Hurlid.Kathy@epa.gov](mailto:Hurlid.Kathy@epa.gov)> wrote:

Sandra and Caroline, I am here to answer any questions you may have in anticipation of questions from Mike. 566-1269

I'm not saying this cannot be done, but this 1 year timeframe for FL is very aggressive for the following reasons:

- 1) FL has to make legislative changes – Session starts in September.
- 2) A complete package includes:
  - a. Signed MOA with USEPA - on coordination and oversight
  - b. Signed MOA with USACE that identifies retained waters. USACE says it will take them at least a year to develop this (their issue with FL not ours) but we can't accept a package until the state has a signed MOA with USACE.
- 3) **Ex. 5 Deliberative Process (DP)**
- 4) EPA will likely need to undertake consultation with the FL tribes (note we've not got a final policy on how states need to coordinate with Tribes when seeking assumption or post. MI was prior to coordination EO and NJ has no fed recognized tribes)
- 5) Statutory timeframe for review of request is 120 days which includes:
  - a. Concurrence by AA OW, AA OECA, and OGC
  - b. Public input and hearings
  - c. Input by the services and USACE

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**From:** Klos, Caroline  
**Sent:** Friday, July 28, 2017 7:22 AM

**To:** Connors, Sandra <[Connors.Sandra@epa.gov](mailto:Connors.Sandra@epa.gov)>  
**Cc:** Hurlid, Kathy <[Hurlid.Kathy@epa.gov](mailto:Hurlid.Kathy@epa.gov)>  
**Subject:** Fw: Ken Wagner's pulling together a 404 SWAT team?

Forwarding to Sandra since she is covering today's weekly with OW, and also will be covering Monday's OW staff meeting while John is out.

I will summarize in TP's for staff meeting, but in case it's something you want to mention today in the OWOW/OW weekly, and get more info on for today, thought I would send along.

See thread below...

Caroline Mixon Klos

Environmental Protection Agency

Office of Wetlands, Oceans & Watersheds

Office: 202-564-3029 room: 7417D West

Telework: 202-279-1377

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**From:** Hurlid, Kathy  
**Sent:** Thursday, July 27, 2017 6:36 PM  
**To:** Weinstock, Larry; Klos, Caroline  
**Subject:** Fwd: Ken Wagner's pulling together a 404 SWAT team?

Sent from my iPhone

Begin forwarded message:

**From:** "Hurlid, Kathy" <[Hurlid.Kathy@epa.gov](mailto:Hurlid.Kathy@epa.gov)>  
**Date:** July 27, 2017 at 6:34:51 PM EDT  
**To:** "McDavit, Michael W." <[Mcdavit.Michael@epa.gov](mailto:Mcdavit.Michael@epa.gov)>, "Eisenberg, Mindy" <[Eisenberg.Mindy@epa.gov](mailto:Eisenberg.Mindy@epa.gov)>, "Goodin, John" <[Goodin.John@epa.gov](mailto:Goodin.John@epa.gov)>, "Connors, Sandra" <[Connors.Sandra@epa.gov](mailto:Connors.Sandra@epa.gov)>  
**Subject:** Ken Wagner's pulling together a 404 SWAT team?

Might be good to ask about this at OW meeting tomorrow. I will forward the talking points I had developed.

- Kathy

Sent from my iPhone

Begin forwarded message:

**From:** "Mcgill, Thomas" <[Mcgill.Thomas@epa.gov](mailto:Mcgill.Thomas@epa.gov)>  
**Date:** July 27, 2017 at 5:04:43 PM EDT  
**To:** "Hurld, Kathy" <[Hurld.Kathy@epa.gov](mailto:Hurld.Kathy@epa.gov)>, "Mancusi-Ungaro, Philip" <[Mancusi-Ungaro.Philip@epa.gov](mailto:Mancusi-Ungaro.Philip@epa.gov)>, "Able, Tony" <[Able.Tony@epa.gov](mailto:Able.Tony@epa.gov)>, "Woods, Diana" <[Woods.Diana@epa.gov](mailto:Woods.Diana@epa.gov)>, "Powell, Duncan" <[Powell.Duncan@epa.gov](mailto:Powell.Duncan@epa.gov)>, "Harper, Cecelia" <[Harper.Cecelia@epa.gov](mailto:Harper.Cecelia@epa.gov)>, "Calli, Rosemary" <[Calli.Rosemary@epa.gov](mailto:Calli.Rosemary@epa.gov)>  
**Subject:** FW: FDEP 404 assumption

Please see the email and information below from Mary. Assuming I hear from Justin Greene soon I'll likely follow-up with a meeting with y'all to discuss/coordinate how best to move forward.

Kathy – I know you'll be on leave for 2 weeks beginning on Aug 2, so let's make sure we talk again before then.

Thanks.

Tom

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**From:** Walker, Mary  
**Sent:** Thursday, July 27, 2017 4:15 PM  
**To:** McGill, Thomas <[Mcgill.Thomas@epa.gov](mailto:Mcgill.Thomas@epa.gov)>  
**Subject:** RE: FDEP 404 assumption

Hi Tom,

I just spoke with Justin Greene of FLA on another matter and he brought up 404. He will be reaching out to you on this. They are working to get ready for the upcoming legislative session – timetable is that committees begin meeting in September – so working on legislative package now. I let him know you would be anticipating his call – and that we'd help provide info as needed.

As to Drew, he noted that Ken said something about a 404 SWAT team – to pull together folks with expertise who could answer questions, provide info on requirements, and work through issues rapidly. I think at this point, Justin is aware we are ready to assist – and he will be reaching out to you soon. They will be preparing some sort of formal request on this, so ideally we'd want to work to identify what is needed/desirable in that. Let's plan to make this a priority.

Please keep me up to date as this progresses.

Thanks

Mary